

1 AN ACT in relation to court reporters.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Public Labor Relations Act is
5 amended by changing Sections 3 and 4 and adding Section 2.5
6 as follows:

7 (5 ILCS 315/2.5 new)

8 Sec. 2.5. Findings and declarations; court reporters.

9 The General Assembly finds and declares:

10 (1) It is the public policy of the State of Illinois and
11 the intent of the General Assembly that State employees,
12 including the Illinois official certified court reporters,
13 are granted collective bargaining rights as provided in this
14 Act.

15 (2) The Illinois Supreme Court in the case of AOIC v.
16 Teamsters 726 ruled that the Illinois Public Labor Relations
17 Board could not assert jurisdiction over the Illinois
18 official certified court reporters because the Supreme Court
19 is their co-employer together with the Chief Judges of each
20 judicial circuit.

21 (3) As a result of the Supreme Court's decision, the
22 Illinois official certified court reporters have been denied
23 the labor rights afforded all other State employees,
24 including the rights to organize, to obtain recognition of
25 their chosen collective bargaining representative, and to
26 negotiate with respect to the wages, terms, and conditions of
27 their employment.

28 (4) The General Assembly intends to create a statutory
29 framework to allow Illinois official court reporters to enjoy
30 the same collective bargaining and other labor rights granted
31 to other public employees.

1 (5) Senate Resolution 431 and House Resolution 706, both
2 of the 92nd General Assembly, were adopted, and in enacting
3 this amendatory Act of the 93rd General Assembly, the General
4 Assembly is implementing the intent of those resolutions.

5 (5 ILCS 315/3) (from Ch. 48, par. 1603)

6 Sec. 3. Definitions. As used in this Act, unless the
7 context otherwise requires:

8 (a) "Board" means the Illinois Labor Relations Board or,
9 with respect to a matter over which the jurisdiction of the
10 Board is assigned to the State Panel or the Local Panel under
11 Section 5, the panel having jurisdiction over the matter.

12 (b) "Collective bargaining" means bargaining over terms
13 and conditions of employment, including hours, wages, and
14 other conditions of employment, as detailed in Section 7 and
15 which are not excluded by Section 4.

16 (c) "Confidential employee" means an employee who, in
17 the regular course of his or her duties, assists and acts in
18 a confidential capacity to persons who formulate, determine,
19 and effectuate management policies with regard to labor
20 relations or who, in the regular course of his or her duties,
21 has authorized access to information relating to the
22 effectuation or review of the employer's collective
23 bargaining policies.

24 (d) "Craft employees" means skilled journeymen, crafts
25 persons, and their apprentices and helpers.

26 (e) "Essential services employees" means those public
27 employees performing functions so essential that the
28 interruption or termination of the function will constitute a
29 clear and present danger to the health and safety of the
30 persons in the affected community.

31 (f) "Exclusive representative", except with respect to
32 non-State fire fighters and paramedics employed by fire
33 departments and fire protection districts, non-State peace

1 officers, and peace officers in the Department of State
2 Police, means the labor organization that has been (i)
3 designated by the Board as the representative of a majority
4 of public employees in an appropriate bargaining unit in
5 accordance with the procedures contained in this Act, (ii)
6 historically recognized by the State of Illinois or any
7 political subdivision of the State before July 1, 1984 (the
8 effective date of this Act) as the exclusive representative
9 of the employees in an appropriate bargaining unit, or (iii)
10 after July 1, 1984 (the effective date of this Act)
11 recognized by an employer upon evidence, acceptable to the
12 Board, that the labor organization has been designated as the
13 exclusive representative by a majority of the employees in an
14 appropriate bargaining unit.

15 With respect to non-State fire fighters and paramedics
16 employed by fire departments and fire protection districts,
17 non-State peace officers, and peace officers in the
18 Department of State Police, "exclusive representative" means
19 the labor organization that has been (i) designated by the
20 Board as the representative of a majority of peace officers
21 or fire fighters in an appropriate bargaining unit in
22 accordance with the procedures contained in this Act, (ii)
23 historically recognized by the State of Illinois or any
24 political subdivision of the State before January 1, 1986
25 (the effective date of this amendatory Act of 1985) as the
26 exclusive representative by a majority of the peace officers
27 or fire fighters in an appropriate bargaining unit, or (iii)
28 after January 1, 1986 (the effective date of this amendatory
29 Act of 1985) recognized by an employer upon evidence,
30 acceptable to the Board, that the labor organization has been
31 designated as the exclusive representative by a majority of
32 the peace officers or fire fighters in an appropriate
33 bargaining unit.

34 (g) "Fair share agreement" means an agreement between

1 the employer and an employee organization under which all or
2 any of the employees in a collective bargaining unit are
3 required to pay their proportionate share of the costs of the
4 collective bargaining process, contract administration, and
5 pursuing matters affecting wages, hours, and other conditions
6 of employment, but not to exceed the amount of dues uniformly
7 required of members. The amount certified by the exclusive
8 representative shall not include any fees for contributions
9 related to the election or support of any candidate for
10 political office. Nothing in this subsection (g) shall
11 preclude an employee from making voluntary political
12 contributions in conjunction with his or her fair share
13 payment.

14 (g-1) "Fire fighter" means, for the purposes of this Act
15 only, any person who has been or is hereafter appointed to a
16 fire department or fire protection district or employed by a
17 state university and sworn or commissioned to perform fire
18 fighter duties or paramedic duties, except that the following
19 persons are not included: part-time fire fighters, auxiliary,
20 reserve or voluntary fire fighters, including paid on-call
21 fire fighters, clerks and dispatchers or other civilian
22 employees of a fire department or fire protection district
23 who are not routinely expected to perform fire fighter
24 duties, or elected officials.

25 (g-2) "General Assembly of the State of Illinois" means
26 the legislative branch of the government of the State of
27 Illinois, as provided for under Article IV of the
28 Constitution of the State of Illinois, and includes but is
29 not limited to the House of Representatives, the Senate, the
30 Speaker of the House of Representatives, the Minority Leader
31 of the House of Representatives, the President of the Senate,
32 the Minority Leader of the Senate, the Joint Committee on
33 Legislative Support Services and any legislative support
34 services agency listed in the Legislative Commission

1 Reorganization Act of 1984.

2 (h) "Governing body" means, in the case of the State,
3 the State Panel of the Illinois Labor Relations Board, the
4 Director of the Department of Central Management Services,
5 and the Director of the Department of Labor; the county board
6 in the case of a county; the corporate authorities in the
7 case of a municipality; and the appropriate body authorized
8 to provide for expenditures of its funds in the case of any
9 other unit of government.

10 (i) "Labor organization" means any organization in which
11 public employees participate and that exists for the purpose,
12 in whole or in part, of dealing with a public employer
13 concerning wages, hours, and other terms and conditions of
14 employment, including the settlement of grievances.

15 (j) "Managerial employee" means an individual who is
16 engaged predominantly in executive and management functions
17 and is charged with the responsibility of directing the
18 effectuation of management policies and practices.

19 (k) "Peace officer" means, for the purposes of this Act
20 only, any persons who have been or are hereafter appointed to
21 a police force, department, or agency and sworn or
22 commissioned to perform police duties, except that the
23 following persons are not included: part-time police
24 officers, special police officers, auxiliary police as
25 defined by Section 3.1-30-20 of the Illinois Municipal Code,
26 night watchmen, "merchant police", court security officers as
27 defined by Section 3-6012.1 of the Counties Code, temporary
28 employees, traffic guards or wardens, civilian parking meter
29 and parking facilities personnel or other individuals
30 specially appointed to aid or direct traffic at or near
31 schools or public functions or to aid in civil defense or
32 disaster, parking enforcement employees who are not
33 commissioned as peace officers and who are not armed and who
34 are not routinely expected to effect arrests, parking lot

1 attendants, clerks and dispatchers or other civilian
2 employees of a police department who are not routinely
3 expected to effect arrests, or elected officials.

4 (l) "Person" includes one or more individuals, labor
5 organizations, public employees, associations, corporations,
6 legal representatives, trustees, trustees in bankruptcy,
7 receivers, or the State of Illinois or any political
8 subdivision of the State or governing body, but does not
9 include the General Assembly of the State of Illinois or any
10 individual employed by the General Assembly of the State of
11 Illinois.

12 (m) "Professional employee" means any employee engaged
13 in work predominantly intellectual and varied in character
14 rather than routine mental, manual, mechanical or physical
15 work; involving the consistent exercise of discretion and
16 adjustment in its performance; of such a character that the
17 output produced or the result accomplished cannot be
18 standardized in relation to a given period of time; and
19 requiring advanced knowledge in a field of science or
20 learning customarily acquired by a prolonged course of
21 specialized intellectual instruction and study in an
22 institution of higher learning or a hospital, as
23 distinguished from a general academic education or from
24 apprenticeship or from training in the performance of routine
25 mental, manual, or physical processes; or any employee who
26 has completed the courses of specialized intellectual
27 instruction and study prescribed in this subsection (m) and
28 is performing related work under the supervision of a
29 professional person to qualify to become a professional
30 employee as defined in this subsection (m).

31 (n) "Public employee" or "employee", for the purposes of
32 this Act, means any individual employed by a public employer,
33 including interns and residents at public hospitals, but
34 excluding all of the following: employees of the General

1 Assembly of the State of Illinois; elected officials;
2 executive heads of a department; members of boards or
3 commissions; employees of any agency, board or commission
4 created by this Act; employees appointed to State positions
5 of a temporary or emergency nature; all employees of school
6 districts and higher education institutions except
7 firefighters and peace officers employed by a state
8 university; managerial employees; short-term employees;
9 confidential employees; independent contractors; and
10 supervisors except as provided in this Act.

11 Notwithstanding Section 9, subsection (c), or any other
12 provisions of this Act, all peace officers above the rank of
13 captain in municipalities with more than 1,000,000
14 inhabitants shall be excluded from this Act.

15 (o) Except as otherwise in subsection (o-5), "public
16 employer" or "employer" means the State of Illinois; any
17 political subdivision of the State, unit of local government
18 or school district; authorities including departments,
19 divisions, bureaus, boards, commissions, or other agencies of
20 the foregoing entities; and any person acting within the
21 scope of his or her authority, express or implied, on behalf
22 of those entities in dealing with its employees. "Public
23 employer" or "employer" as used in this Act, however, does
24 not mean and shall not include the General Assembly of the
25 State of Illinois and educational employers or employers as
26 defined in the Illinois Educational Labor Relations Act,
27 except with respect to a state university in its employment
28 of firefighters and peace officers. County boards and county
29 sheriffs shall be designated as joint or co-employers of
30 county peace officers appointed under the authority of a
31 county sheriff. Nothing in this subsection (o) shall be
32 construed to prevent the State Panel or the Local Panel from
33 determining that employers are joint or co-employers.

34 (o-5) With respect to wages, fringe benefits, hours,

1 holidays, vacations, proficiency examinations, sick leave,
2 and other conditions of employment, the public employer of
3 public employees who are court reporters, as defined in the
4 Court Reporters Act, shall be determined as follows:

5 (1) For court reporters employed by the Cook County
6 Judicial Circuit, the chief judge of the Cook County
7 Circuit Court is the public employer and employer
8 representative.

9 (2) For court reporters employed by the 12th, 18th,
10 and 19th judicial circuits, a group consisting of the
11 chief judges of those circuits, acting jointly by
12 majority vote, is the public employer and employer
13 representative.

14 (3) For court reporters employed by all other
15 judicial circuits, a group consisting of the chief judges
16 of those circuits, acting jointly by majority vote, is
17 the public employer and employer representative.

18 (p) "Security employee" means an employee who is
19 responsible for the supervision and control of inmates at
20 correctional facilities. The term also includes other
21 non-security employees in bargaining units having the
22 majority of employees being responsible for the supervision
23 and control of inmates at correctional facilities.

24 (q) "Short-term employee" means an employee who is
25 employed for less than 2 consecutive calendar quarters during
26 a calendar year and who does not have a reasonable assurance
27 that he or she will be rehired by the same employer for the
28 same service in a subsequent calendar year.

29 (r) "Supervisor" is an employee whose principal work is
30 substantially different from that of his or her subordinates
31 and who has authority, in the interest of the employer, to
32 hire, transfer, suspend, lay off, recall, promote, discharge,
33 direct, reward, or discipline employees, to adjust their
34 grievances, or to effectively recommend any of those actions,

1 if the exercise of that authority is not of a merely routine
2 or clerical nature, but requires the consistent use of
3 independent judgment. Except with respect to police
4 employment, the term "supervisor" includes only those
5 individuals who devote a preponderance of their employment
6 time to exercising that authority, State supervisors
7 notwithstanding. In addition, in determining supervisory
8 status in police employment, rank shall not be determinative.
9 The Board shall consider, as evidence of bargaining unit
10 inclusion or exclusion, the common law enforcement policies
11 and relationships between police officer ranks and
12 certification under applicable civil service law, ordinances,
13 personnel codes, or Division 2.1 of Article 10 of the
14 Illinois Municipal Code, but these factors shall not be the
15 sole or predominant factors considered by the Board in
16 determining police supervisory status.

17 Notwithstanding the provisions of the preceding
18 paragraph, in determining supervisory status in fire fighter
19 employment, no fire fighter shall be excluded as a supervisor
20 who has established representation rights under Section 9 of
21 this Act. Further, in new fire fighter units, employees
22 shall consist of fire fighters of the rank of company officer
23 and below. If a company officer otherwise qualifies as a
24 supervisor under the preceding paragraph, however, he or she
25 shall not be included in the fire fighter unit. If there is
26 no rank between that of chief and the highest company
27 officer, the employer may designate a position on each shift
28 as a Shift Commander, and the persons occupying those
29 positions shall be supervisors. All other ranks above that
30 of company officer shall be supervisors.

31 (s) (1) "Unit" means a class of jobs or positions that
32 are held by employees whose collective interests may
33 suitably be represented by a labor organization for
34 collective bargaining. Except with respect to non-State

1 fire fighters and paramedics employed by fire departments
2 and fire protection districts, non-State peace officers,
3 and peace officers in the Department of State Police, a
4 bargaining unit determined by the Board shall not include
5 both employees and supervisors, or supervisors only,
6 except as provided in paragraph (2) of this subsection
7 (s) and except for bargaining units in existence on July
8 1, 1984 (the effective date of this Act). With respect
9 to non-State fire fighters and paramedics employed by
10 fire departments and fire protection districts, non-State
11 peace officers, and peace officers in the Department of
12 State Police, a bargaining unit determined by the Board
13 shall not include both supervisors and nonsupervisors, or
14 supervisors only, except as provided in paragraph (2) of
15 this subsection (s) and except for bargaining units in
16 existence on January 1, 1986 (the effective date of this
17 amendatory Act of 1985). A bargaining unit determined by
18 the Board to contain peace officers shall contain no
19 employees other than peace officers unless otherwise
20 agreed to by the employer and the labor organization or
21 labor organizations involved. Notwithstanding any other
22 provision of this Act, a bargaining unit, including a
23 historical bargaining unit, containing sworn peace
24 officers of the Department of Natural Resources (formerly
25 designated the Department of Conservation) shall contain
26 no employees other than such sworn peace officers upon
27 the effective date of this amendatory Act of 1990 or upon
28 the expiration date of any collective bargaining
29 agreement in effect upon the effective date of this
30 amendatory Act of 1990 covering both such sworn peace
31 officers and other employees.

32 (2) Notwithstanding the exclusion of supervisors
33 from bargaining units as provided in paragraph (1) of
34 this subsection (s), a public employer may agree to

1 permit its supervisory employees to form bargaining units
2 and may bargain with those units. This Act shall apply
3 if the public employer chooses to bargain under this
4 subsection.

5 (3) Public employees who are court reporters, as
6 defined in the Court Reporters Act, shall be divided into
7 3 units for collective bargaining purposes. One unit
8 shall be court reporters employed by the Cook County
9 Judicial Circuit; one unit shall be court reporters
10 employed by the 12th, 18th, and 19th judicial circuits;
11 and one unit shall be court reporters employed by all
12 other judicial circuits.

13 (Source: P.A. 90-14, eff. 7-1-97; 90-655, eff. 7-30-98;
14 91-798, eff. 7-9-00.)

15 (5 ILCS 315/4) (from Ch. 48, par. 1604)

16 Sec. 4. Management Rights. Employers shall not be
17 required to bargain over matters of inherent managerial
18 policy, which shall include such areas of discretion or
19 policy as the functions of the employer, standards of
20 services, its overall budget, the organizational structure
21 and selection of new employees, examination techniques and
22 direction of employees. Employers, however, shall be
23 required to bargain collectively with regard to policy
24 matters directly affecting wages, hours and terms and
25 conditions of employment as well as the impact thereon upon
26 request by employee representatives.

27 To preserve the rights of employers and exclusive
28 representatives which have established collective bargaining
29 relationships or negotiated collective bargaining agreements
30 prior to the effective date of this Act, employers shall be
31 required to bargain collectively with regard to any matter
32 concerning wages, hours or conditions of employment about
33 which they have bargained for and agreed to in a collective

1 bargaining agreement prior to the effective date of this Act.

2 The chief judge of the judicial circuit that employs a
3 public employee who is a court reporter, as defined in the
4 Court Reporters Act, has the authority to hire, appoint,
5 promote, evaluate, discipline, and discharge court reporters
6 within that judicial circuit.

7 Nothing in this amendatory Act of the 93rd General
8 Assembly shall be construed to intrude upon the judicial
9 functions of any court. This amendatory Act of the 93rd
10 General Assembly applies only to nonjudicial administrative
11 matters relating the collective bargaining rights of court
12 reporters.

13 (Source: P.A. 83-1012.)

14 Section 10. The Court Reporters Act is amended by
15 changing Sections 1, 3, 4, 4.1, 5, 6, 7, and 8 and adding
16 Section 8.1 as follows:

17 (705 ILCS 70/1) (from Ch. 37, par. 651)

18 Sec. 1. Definitions. In this Act:

19 "Court reporter"~~7-for-the-purposes-of-this-Act7~~ means any
20 person appointed by the chief judge of any circuit to perform
21 the duties prescribed in Section 5 of this Act.

22 "Employer representative" means, with respect to wages,
23 fringe benefits, hours, holidays, vacation, proficiency
24 examinations, sick leave, and other conditions of employment:

25 (1) For court reporters employed by the Cook County
26 Judicial Circuit, the chief judge of the Cook County
27 Circuit Court.

28 (2) For court reporters employed by the 12th, 18th,
29 and 19th judicial circuits, a group consisting of the
30 chief judges of those circuits, acting jointly by
31 majority vote.

32 (3) For court reporters employed by all other

1 judicial circuits, the chief judges of those circuits,
2 acting jointly by majority vote.

3 The chief judge of the judicial circuit that employs a
4 public employee who is a court reporter, as defined in the
5 Court Reporters Act, has the authority to hire, appoint,
6 promote, evaluate, discipline, and discharge court reporters
7 within that judicial circuit.

8 (Source: Laws 1965, p. 2616.)

9 (705 ILCS 70/3) (from Ch. 37, par. 653)

10 Sec. 3. Number; determination and certification by
11 supreme-court. The number of full-time and part-time court
12 reporters that may be appointed in each circuit shall be
13 determined by the employer representative Supreme--Court. In
14 determining how many court reporters are needed in each
15 circuit the employer representative Supreme--Court shall
16 consider the following factors: (1) case loads in the
17 circuit; (2) the number of associate judges and circuit
18 judges in the circuit; (3) the number and location in the
19 circuit of major federal and state highways; (4) the location
20 in the circuit of state police highway truck weighing
21 stations; (5) the relationship of urban population to large
22 metropolitan centers in the various counties of the circuit;
23 (6) the location in the circuit of state institutions
24 including, but not limited to, universities, colleges, mental
25 health facilities, penitentiaries; (7) the number of cities
26 and towns within each circuit in which regular court sessions
27 are held and the distance in road miles between each; and (8)
28 any other factor deemed relevant by the employer
29 representative Supreme-Court.

30 The employer representative The--Supreme--Court--shall
31 certify--in--writing--to--each--chief--judge--the--number--of
32 full-time-and-part-time-court-reporters-the-chief--judge--may
33 appoint--in-his-circuit-and may, as the need arises, increase

1 or lower the number of such court reporters so authorized.

2 The Chief Judge of each circuit may designate any number
3 of ~~Supreme-Court~~ approved full-time court reporter positions
4 as time share positions. For the purposes of this Act, "time
5 share position" means a full-time court reporter position
6 that is divided among 2 or more court reporters with the
7 full-time salary and benefits being apportioned among the
8 court reporters in the same percentage as the duties of the
9 full-time position are apportioned.

10 (Source: P.A. 86-827.)

11 (705 ILCS 70/4) (from Ch. 37, par. 654)

12 Sec. 4. Appointment; oath. The chief judge may appoint
13 all or any of the number of court reporters authorized by
14 Section 3 of this Act ~~certification-of-the-Supreme-Court~~. The
15 court reporters so appointed shall serve at the direction
16 ~~pleasure~~ of the chief judge and may be removed by the chief
17 judge.

18 Each court reporter appointed shall, before entering upon
19 the duties of his office, take the official oath to
20 faithfully discharge the duties of his office to the best of
21 his knowledge and ability.

22 The appointments shall be in writing and shall be filed
23 with the Clerk of the Circuit Court of the circuit in which
24 the court reporters are employed ~~Supreme--Court~~ and shall
25 continue in force until revoked by the chief judge of the
26 circuit in which the court reporter is appointed.

27 (Source: P.A. 84-1395.)

28 (705 ILCS 70/4.1) (from Ch. 37, par. 654.1)

29 Sec. 4.1. Appointment and salary of administrative
30 personnel.

31 (a) The employer representative ~~Supreme---Court~~ may
32 authorize the chief judge of any single county circuit in

1 which official court reporting services are centrally
 2 administered, (1) to appoint from among the court reporters
 3 appointed in the circuit an Administrator of Court Reporters,
 4 a Deputy Administrator of Court Reporters and 2 Assistant
 5 Administrators of Court Reporters, (2) to designate from
 6 among the court reporters appointed in the circuit one
 7 Reporter Supervisor and one Assistant Reporter Supervisor for
 8 each Department and Division of the circuit court, and (3) to
 9 appoint secretarial and other support staff to assist the
 10 Administrator. Each Administrator, Deputy Administrator,
 11 Assistant Administrator, Reporter Supervisor, and Assistant
 12 Reporter Supervisor shall have an "A" proficiency rating, by
 13 examination, as provided in Section 7.

14 (b) Administrative personnel appointed under this
 15 Section shall be paid by the State.

16 (1) In addition to their regular salary as official
 17 court reporters, the administrative personnel appointed under
 18 this Section shall be paid such additional sums as the
 19 employer representative Supreme--Court specifies. Such sums
 20 shall be included in the pay schedule adopted pursuant to
 21 Section 8. The additional amounts paid shall reflect the
 22 burden of administrative responsibility borne by the
 23 administrative personnel and the consequent lack of
 24 opportunity to produce transcripts of testimony. The
 25 additional amounts paid to such personnel shall not exceed
 26 the following:

27 (A) Administrator of Court Reporters: \$20,000 per
 28 year;

29 (B) Deputy Administrator of Court Reporters:
 30 \$15,000 per year;

31 (C) Assistant Administrators of Court Reporters:
 32 \$13,000 per year;

33 (D) Reporter Supervisors: \$10,000 per year.

34 (E) Assistant Reporter Supervisors: \$5,000 per

1 year.

2 (2) Each of the secretarial and other support staff
3 authorized under this Section shall be paid a salary as
4 determined per year by the employer representative Supreme
5 Court.

6 (Source: P.A. 86-1378.)

7 (705 ILCS 70/5) (from Ch. 37, par. 655)

8 Sec. 5. Means of reporting; transcripts. The court
9 reporter shall make a full reporting by means of stenographic
10 hand or machine notes, or a combination thereof, of the
11 evidence and such other proceedings in trials and judicial
12 proceedings to which he is assigned by the chief judge, and
13 the court reporter may use an electronic instrument as a
14 supplementary device. In the event that the court utilizes an
15 audio or video recording system to record the proceedings, a
16 court reporter shall be in charge of such system; however,
17 the appointment of a court reporter to be in charge of an
18 audio or video recording system shall not be required where
19 such system is the judge's personal property or has been
20 supplied by a party or such party's attorney. To the extent
21 that it does not substantially interfere with the court
22 reporter's other official duties, the judge to whom, or a
23 judge of the division to which, a reporter is assigned may
24 assign a reporter to secretarial or clerical duties arising
25 out of official court operations.

26 Unless and until otherwise provided in a Uniform Schedule
27 of Charges which may hereafter be provided by rule or order
28 of the employer representative Supreme--Court, a court
29 reporter may charge not to exceed 25¢ per 100 words for
30 making transcripts of his notes. The fees for making
31 transcripts shall be paid in the first instance by the party
32 in whose behalf such transcript is ordered and shall be taxed
33 in the suit.

1 The transcripts shall be filed and remain with the papers
2 of the case. When the judge trying the case shall, of his own
3 motion, order a transcript of the court reporter's notes, the
4 judge may direct the payment of the charges therefor, and the
5 taxation of the charges as costs in such manner as to him may
6 seem just. Provided, that the charges for making but one
7 transcript shall be taxed as costs and the party first
8 ordering the transcript shall have preference unless it shall
9 be otherwise ordered by the court.

10 The change made to this Section by this amendatory Act of
11 1987 is intended to apply retroactively from and after
12 January 1, 1987.

13 (Source: P.A. 85-981.)

14 (705 ILCS 70/6) (from Ch. 37, par. 656)

15 Sec. 6. Assignment to serve outside of county of
16 appointment; Travel expenses.

17 The chief judge may assign a court reporter to serve
18 anywhere within the circuit in which the court reporter is
19 appointed. A court reporter shall be paid travel expenses
20 incurred in connection with his official duties in his
21 circuit of appointment outside the county wherein he resides.
22 Subject to regulations which may be adopted by the Supreme
23 Court, court reporters shall be allowed travel expenses when
24 traveling within their county of residence in connection with
25 their official duties.

26 The employer representative Supreme-Court may assign a
27 court reporter to temporary service outside his own circuit,
28 but within the jurisdiction of the employer representative,
29 with the consent of the chief judge of his circuit. A court
30 reporter shall be paid travel expenses incurred in connection
31 with his official duties during such periods of temporary
32 assignment.

33 Expense vouchers shall be submitted to the employer

1 representative Supreme--Court for approval. The expense
2 vouchers or claims submitted to the employer representative
3 Supreme-Court shall have endorsed thereon the signed approval
4 of the chief judge of the circuit in which the court reporter
5 incurred the expense for which claim is made.

6 (Source: P.A. 77-1685.)

7 (705 ILCS 70/7) (from Ch. 37, par. 657)

8 Sec. 7. Proficiency tests. Except as otherwise provided
9 in this Section, each court reporter in office on January 1,
10 1966 or appointed on or after that date shall have taken or
11 shall thereafter take a test to rate his proficiency. The
12 test shall be prepared and administered by the employer
13 representative in consultation with each of the other
14 employer representatives Supreme--Court. The test shall
15 consist of three parts designated Part A, Part B and Part C.
16 If the court reporter in office on January 1, 1966, or
17 appointed on or after that date, successfully passes any Part
18 he shall be given a certificate designating him as an
19 official court reporter. If such court reporter fails to pass
20 any part, the employer representative Supreme-Court shall so
21 inform the chief judge of the circuit in which the court
22 reporter serves. Upon receipt of note that a court reporter
23 has failed to pass any part of the test, the chief judge may
24 discharge the court reporter or may allow him to continue
25 until the test is next administered. If, when the test is
26 next administered, the court reporter fails to pass any part
27 of the test, he shall be discharged by the chief judge.

28 The test shall be administered at least every six months
29 if there are candidates or applicants for the test. Any court
30 reporter who has passed Part C of the test may apply to take
31 the Part B or the Part A section of the test at the regular
32 time such tests are given. If the court reporter successfully
33 completes Part B or Part A of the test, his proficiency

1 rating shall be adjusted to reflect passage of the more
2 difficult Part.

3 Any court reporter who served as a court reporter in a
4 circuit court for 5 years immediately preceding January 1,
5 1966 shall be certified as an official court reporter without
6 examination, and shall be credited with an "A" proficiency
7 rating, without examination.

8 (Source: P.A. 84-1395.)

9 (705 ILCS 70/8) (from Ch. 37, par. 658)

10 Sec. 8. Salaries.

11 (a) The salaries of all court reporters shall be paid by
12 the State. Full-time court reporters shall be paid not less
13 than \$6,000 nor more than \$29,500 per year through June 30,
14 1984. Beginning July 1, 1984, full-time court reporters shall
15 be paid not less than \$6,000 nor more than \$31,250 annually.
16 Beginning July 1, 1985, full-time court reporters shall be
17 paid not less than \$6,000 nor more than \$33,250 annually.
18 Beginning July 1, 1986, full-time court reporters shall be
19 paid not less than \$6,000 nor more than \$35,250 annually.
20 Beginning July 1, 1987, full-time court reporters shall be
21 paid not less than \$6,000 nor more than \$37,250 annually.
22 Part-time court reporters shall be paid not less than \$12 nor
23 more than \$60 per half-day. The salary of each individual
24 court reporter shall be computed from a schedule adopted by
25 the employer representative Supreme--Court. The salary
26 schedule shall reflect the following relevant factors: (1)
27 proficiency rating; (2) experience; (3) population of the
28 area to which a reporter is normally assigned; (3-1) court
29 reporters shall receive the same annual percentage salary
30 increase as provided to other State-paid non-judicial
31 employees of the Judicial Branch with equivalent salaries,
32 except that notwithstanding any other provision of law,
33 salaries of full time court reporters shall be increased by

1 at least a percentage increase equivalent to that of the
2 "Employment Cost Index, Wages and Salaries, by Occupation and
3 Industry Groups, State and Local Government Workers Public
4 Administration", as published by the Bureau of Labor
5 Statistics of the U.S. Department of Labor for the calendar
6 year immediately preceding the year of the respective July
7 1st increase date. The increase shall be added to the then
8 current annual salary and the adjusted salary so determined
9 shall be the annual salary beginning July 1 of the increase
10 year until July 1 of the next year; (4) other factors
11 considered relevant by the Director.

12 (b) (Blank). ~~Not less than 60 days before the effective~~
13 ~~date of this Act, the chief judge of each circuit shall~~
14 ~~submit to the Supreme Court, on forms to be provided by the~~
15 ~~Supreme Court, such information as may be necessary to~~
16 ~~implement the provisions of this Act.~~

17 (c) A court reporter who has previously passed, or who
18 hereafter passes, Part A or Part B of a proficiency test
19 prepared and administered by the employer representative
20 ~~Supreme Court~~ shall be credited with an "A" or "B"
21 proficiency rating, as appropriate.

22 (d) A court reporter who has been credited with an "A"
23 proficiency rating, without examination, as provided in
24 Section 7 of this Act, shall receive a salary of \$10,000 per
25 annum. Any increase in the maximum salary payable to
26 reporters shall not result in any increase for such reporter
27 unless and until he has passed the proficiency test.

28 (e) The salaries of all official court reporters
29 employed by the State shall be paid monthly, from moneys
30 appropriated to the Comptroller for that purpose, on the
31 voucher of the the chief judge of the circuit employing the
32 court reporters ~~Supreme Court~~. The Comptroller ~~Supreme Court~~
33 may require all salary claims by part-time reporters to be
34 substantiated by certificates signed by the reporter and

1 approved by the chief judge of the circuit.

2 (f) The salaries of time share court reporter positions
3 may be apportioned in the manner provided in Section 3 of
4 this Act.

5 (Source: P.A. 88-475.)

6 (705 ILCS 70/8.1 new)

7 Sec. 8.1. Appropriation request. Each employer
8 representative shall make an annual appropriation request in
9 January to the General Assembly to fund court reporters.
10 When necessary, an employer representative may request
11 supplemental appropriations to fund court reporters.

12 Section 15. The Court Reporter Transcript Act is amended
13 by changing Section 4 as follows:

14 (705 ILCS 75/4) (from Ch. 37, par. 664)

15 Sec. 4. The reporter, in full for all his services in
16 connection with the transcribing and filing or furnishing the
17 transcripts referred to in this Act, shall be paid a fee as
18 provided in Section 5 of the Court Reporters Act~~7--approved~~
19 ~~August--57--19657--as-amended~~. All such fees shall be paid out
20 of the State Treasury on the warrant of the chief judge of
21 the circuit employing the court reporter ~~Supreme-Court~~, from
22 appropriations made to the Comptroller for such purpose, upon
23 presentation of a certificate signed by the presiding judge
24 setting the amount due said reporter. Such certificate shall
25 as to each original transcript (and a copy or copies where
26 fee for a copy or copies is authorized by statute or Illinois
27 Supreme Court Rule) set forth the title and number of the
28 cause in which the transcript was required to be furnished,
29 the nature of the proceedings transcribed (whether an
30 arraignment, proceedings at criminal trial or proceedings at
31 post-conviction hearing) and the fee approved therefor. The

1 employer representative, as defined in the Court Reporters
2 Act, Supreme-Court may prescribe the form of the certificate
3 and furnish same.

4 (Source: P.A. 90-505, eff. 8-19-97.)

5 Section 95. Liberal construction. This Act shall be
6 liberally construed to effectuate its purpose of facilitating
7 the equitable resolution of labor relations concerning court
8 reporters.

9 Section 97. Severability. The provisions of this Act are
10 severable under Section 1.31 of the Statute on Statutes.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.